

REMARKS

The Examiner states in the Advisory Action that restriction of the following inventions is required under 35 U.S.C. §121.

The Patent Office states that this application contains claims directed to the following patentably distinct species figures 1, 4, 5, 6, 7, 8a, 9, 10 and 11. The Patent Office states that the species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, the Patent Office states these species are not obvious variants of each other based on the current record.

However, the Patent Office does not specify what the species are. The applicant does not know how many patentably distinct species the Patent Office believes there to be and the Patent Office does not give any indication of this.

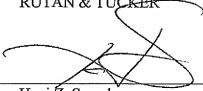
Applicant has made several attempts to contact the primary examiner, but the primary examiner is no longer with the Patent Office. Applicant further has made several attempts to communicate with the supervising examiner, Mr. Brian Pendleton. No response has been given at this point.

Applicants hereby asks the Patent Office to reconsider the restriction requirement, or in the alternative, to specify which species it believes to be distinct.

Applicant's counsel has addressed all issues raised by the Examiner in this Office Action to the best of its ability. The application now appears to be in condition for passage to allowance and such action is earnestly solicited.

Respectfully submitted,
RUTAN & TUCKER

By


Hani Z. Sayed
Registration No. 52,544

Dated: May 6, 2009

Rutan & Tucker, LLP
611 Anton Blvd., Suite 1400
Costa Mesa, CA 92626
Telephone (714) 641-5100
Facsimile (714) 546-9035